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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BRANDON M. SMITH,

Petitioner,

v.

WARDEN G.E. DUCART,

Respondent.

Case No. LACV 15-8166-DMG (LAL)

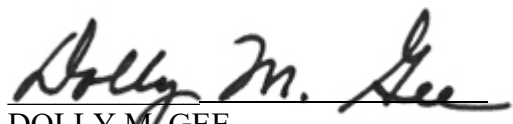
**ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate Judge's Report and Recommendation, and the remaining record, and has made a *de novo* determination.

Accordingly, IT IS ORDERED THAT:

1. The Report and Recommendation is approved and accepted;
2. Judgment be entered denying the Petition and dismissing this action with prejudice; and
3. The Clerk serve copies of this Order on the parties.

DATED: December 7, 2018


DOLLY M. GEE
UNITED STATES DISTRICT JUDGE